



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/737,655	12/15/2000	Torsten Stadler	F0054	2269

7590 04/05/2005

Lawrence G. Fridman, Esq.
Silber & Fridman
66 Mount Prospect Avenue
Clifton, NJ 07013-1918

EXAMINER

KIM, CHONG R

ART UNIT PAPER NUMBER

2623

DATE MAILED: 04/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/737,655

Applicant(s)

STADLER ET AL.

Examiner

Charles Kim

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6,7 and 10-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6,7 and 10-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 June 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment and Arguments

1. Applicant's amendment filed on September 23, 2004 has been entered and made of record.
2. In view of applicant's submitted drawings, the objection to the drawings are withdrawn.
3. In view of applicant's amendment, the claim objections for claims 1-4 are withdrawn.
4. Applicant's arguments, see pages 11-12, filed September 23, 2004, with respect to the rejection(s) of claim(s) 1-3, 5-8 under 35 USC 102 (e) as being anticipated by Shimura et al., U.S. Patent No. 5,933,249 ("Shimura"), and the rejections of claims 4 and 9 under 35 USC 103(a) as being obvious over the combination of Shimura and Auty et al., U.S. Patent No. 5,809,161 ("Auty") have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of the combination of Shimura and Epstein et al., U.S. Patent Application Publication No. 2002/0085767 ("Epstein"). A detailed description of the rejections are provided below.

Claim Objections

The following quotation of 37 CFR § 1.75(a) is the basis of objection:

- (a) The specification must conclude with a claim particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention or discovery.

Art Unit: 2623

5. Claims 6-7, 14, 16-17, 19 are objected to under 37 CFR § 1.75 (a) as failing to particularly point out and distinctly claim the subject matter which the applicant regards as his invention or discovery.

Referring to claim 6, the phrase, “compressing or decompressing, respectively, selectively said at least one data segment” in lines 4-5 renders the claim ambiguous because it is unclear what is being claimed. For examination purposes, the phrase will be interpreted as “compressing or decompressing, selectively said at least one data segment”. Appropriate correction is required.

Referring to claim 14, the phrase, “wherein in said step of compressing said plurality of data segments are being compressed to a uniform degree of compression” in lines 1-3 is grammatically incorrect. It appears that the applicant intended the phrase to read, “wherein in said step of compressing, said plurality of data segments are being compressed to a uniform degree of compression”. Similar objections are applicable to claims 16 and 19. Appropriate corrections are required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 2623

6. Claims 6-7, 10-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Shimura et al., U.S. Patent No. 5,933,249 ("Shimura") and Epstein et al., U.S. Patent Application Publication No. 2002/0085767 ("Epstein").

Referring to claim 10, Shimura discloses a method of storing picture data in a compressed or decompressed format in a data storing memory, the method comprising the steps of:

- a. generating picture data (col. 3, lines 30-43);
- b. dividing the picture data into a plurality of data segments in such a manner that location of at least one of the data segments is represented by location information (col. 3, line 65-col. 4, line 3 and figure 4);
- c. storing the location information of the at least one data segment in the data storing memory (col. 3, line 65-col. 4, line 3);
- d. compressing the plurality of data segments (col. 4, line 60-col. 5, line 67);
- e. selecting the at least one data segment using the location information, and decompressing the selected data segment independently of the remaining data segments in accordance with a respective degree of its compression (col. 6, lines 1-67).

Shimura does not explicitly disclose the step of decompressing only the selected data segment. However, this feature was exceedingly well known in the art. For example, Epstein discloses the step of selecting at least one data segment using location information, and decompressing only the selected segment independently of the remaining data segments in accordance with a respective degree of its compression (page 2, paragraph 13).

Art Unit: 2623

Shimura and Epstein are combinable because they are both concerned with image compression methods. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify the method of Shimura so that only the selected data segment is decompressed, as taught by Epstein. The suggestion/motivation for doing so would have been to enhance the efficiency of the image encoding/decoding process (Epstein, page 1, paragraph 9). Therefore, it would have been obvious to combine Shimura with Epstein to obtain the invention as specified in claim 10.

Referring to claim 6, Shimura further discloses the step of reading the stored location information of the at least one data segment, and decompressing, selectively the at least one data segment (col. 6, lines 1-67).

Referring to claim 7, see the rejection of at least claim 11 below.

Referring to claim 11, Shimura further discloses that the plurality of data segments are selectively compressed to a different degree of compression (figure 9. Note that “JBIG”, “MMR” and “JPEG” represent different degrees of compression).

Referring to claim 12, Shimura further discloses that the plurality of data segments are compressed to different degrees of compression, as noted above (claim 11), but does not explicitly disclose that some of the segments are not compressed, some of the segments are slightly compressed, and some of the segments are heavily compressed. However, the Examiner notes that the specific degree of compression for each data segment is not considered a patentable distinction because it would have been chosen by the user during experimentation in order to meet his/her specific requirements. Furthermore, Shimura clearly explains that a variety of different compression techniques/degrees can be applied to the data segments (col. 12, lines

Art Unit: 2623

43-63 and figure 9). Therefore, it would have been obvious to modify the compression degrees of Shimura and Epstein so that some of the segments are not compressed, some of the segments are slightly compressed, and some of the segments are heavily compressed. The suggestion/motivation for doing so would have been to apply a compression degree that is optimized for each data segment (Shimura, col. 12, lines 59-61).

Referring to claim 13, Shimura further discloses that the plurality of data segments are separated from each other representing the data segments and labels identifying the data segments (figure 4).

Referring to claim 14, see the rejection of at least claim 12 above.

7. Claims 15-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over the combination of Shimura et al., U.S. Patent No. 5,933,249 ("Shimura"), Epstein et al., U.S. Patent Application Publication No. 2002/0085767 ("Epstein"), and Auty et al., U.S. Patent No. 5,809,161 ("Auty").

Referring to claim 15, Shimura discloses a method of storing picture data in a compressed or decompressed format in a data storing memory, the method comprising the steps of:

- a. generating picture data (col. 3, lines 30-43);
- b. dividing the picture data into a plurality of data segments in such a manner that location of at least one of the data segments is represented by location information (col. 3, line 65-col. 4, line 3 and figure 4);

Art Unit: 2623

- c. storing the location information of the at least one data segment in the data storing memory (col. 3, line 65-col. 4, line 3);
- d. compressing the plurality of data segments (col. 4, line 60-col. 5, line 67);
- e. selecting the at least one data segment using the location information, and decompressing the selected data segment independently of the remaining data segments (col. 6, lines 1-67).

Shimura does not explicitly disclose the step of decompressing only the selected data segment. However, this feature was exceedingly well known in the art. For example, Epstein discloses the step of selecting at least one data segment using location information, and decompressing only the selected segment independently of the remaining data segments in accordance with a respective degree of its compression (page 2, paragraph 13).

Shimura and Epstein are combinable because they are both concerned with image compression methods. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify the method of Shimura so that only the selected data segment is decompressed, as taught by Epstein. The suggestion/motivation for doing so would have been to enhance the efficiency of the image encoding/decoding process (Epstein, page 1, paragraph 9). Therefore, it would have been obvious to combine Shimura with Epstein.

Shimura and Epstein do not explicitly disclose that the picture data represents a traffic scene generated by a digital camera of a traffic monitoring arrangement. However, this feature was exceedingly well known in the art. For example, Auty discloses a traffic monitoring arrangement with a digital camera (8) [col. 25, lines 55-59], the digital camera generating camera

Art Unit: 2623

data representing a picture of a traffic scene (figure 31), and supplying the camera data as picture data for compression (figure 33).

Shimura, Epstein, and Auty are all concerned with image processing methods that perform image compression. Shimura explains that his method can be used in a variety of different environments (Shimura, col. 12, lines 50-56 and col. 13, lines 9-13). Auty's imaging method monitors traffic to detect law infringement (Auty, col. 3, lines 4-8). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to modify the method of Shimura and Epstein, so that it is used for traffic monitoring, as taught by Auty. The suggestion/motivation for doing so would have been to provide a flexible imaging method that can be used to help enforce the law. Therefore, it would have been obvious to combine Shimura and Epstein with Auty to obtain the invention as specified in claim 15.

Referring to claim 16, see the discussion of at least claim 11 above.

Referring to claim 17, see the discussion of at least claim 12 above.

Referring to claim 18, see the discussion of at least claim 13 above.

Referring to claim 19, see the discussion of at least claim 14 above.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

Art Unit: 2623

MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Kim whose telephone number is 703-306-4038. The examiner can normally be reached on Mon thru Thurs 8:30am to 6pm and alternating Fri 9:30am to 6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amelia Au can be reached on 703-308-6604. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ck

March 24, 2005


Jon Chang
Primary Examiner